

REMARKS

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims is presented above, with appropriate, defined status identifiers. Upon entry of the amendments, claims 1, 7-9, 15-16, 19- 21, 23, 48-49, 55, 58, 60 and 62 will be pending. Applicant respectfully requests reconsideration of these claims in view of the foregoing amendments and the following remarks.

Claim Amendments

Claims 1 and 23 are amended to recite that the soluble co-stimulatory factor is selected from B7-1-Ig and B7-2-Ig, as specifically recited in claims 55, 58, 60, and 62. Claims 8 and 9 are amended to recite the “herpes simplex virus vector” instead of the “nucleotide sequence,” as suggested by the Examiner. Claims 58 and 60 are amended to depend from claim 1 and to make clerical changes. These amendments do not introduce new matter into the application.

Indefiniteness Rejections

Claims 8 and 9 were rejected as being indefinite. Applicant has amended these claims in accordance with the Examiner’s suggestions and, therefore, believes that the rejections are overcome.

Enablement Rejection

The Office Action maintained the enablement rejection of the claims based on the allegation that the specification does not enable methods or compositions using soluble co-stimulatory molecules other than B7-1-Ig or B7-2-Ig. Although Applicant does not agree with the positions asserted in the Action, in order to expedite allowance of the application Applicant has amended the claims to recite that the soluble co-stimulatory molecules is B7-1-Ig or B7-2-Ig. Applicant therefore believes that this rejection is overcome.

Allowable Subject Matter

Applicant notes with appreciation the indication on page 8 of the Action that the subject matter of claims 55, 58, 60 and 62 is allowable. In view of the forgoing amendments, Applicant believes that all pending claims are allowable, and earnestly solicits an early notice to that effect.

If there are any questions regarding this submission, or if any issues remain, the Examiner is invited to contact the undersigned attorney of record.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 CFR §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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